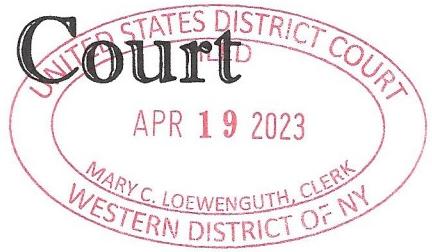


United States District Court

for the
Western District of New York



United States of America

v.

Case No. 23-MJ- 5080

Corey Beasley

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

COUNT 1 (Production of Child Pornography)

In or about December of 2022 to January of 2023, in the County of Erie, in the Western District of New York, the defendant, COREY BEASLEY, did employ, use, persuade, induce, entice, or coerce a minor to engage in, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing or having reason to know that such visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Sections 2251(a).

COUNT 2

(Receipt of Child Pornography)

Between on or about the date of September 14, 2022 and September 20, 2022, in the County of Erie, in the Western District of New York, COREY BEASLEY, did receive child pornography, in violation of Title 18, United States Code, Section 2252A(a)(2)(A).

COUNT 3

(Possession of Child Pornography)

Between on or about the date of September 14, 2022 and September 20, 2022, in the County of Erie, in the Western District of New York, COREY BEASLEY, did possess child pornography, in violation of Title 18, United States Code, 2252A(a)(5)(B).

This Criminal Complaint is based on these facts:

- Continued on the attached sheet.



Complainant's signature

NICHOLAS MELCHIORRE
SPECIAL AGENT
HOMELAND SECURITY INVESTIGATIONS
Printed name and title



Judge's signature

HONORABLE MICHAEL J. ROEMER
UNITED STATES MAGISTRATE JUDGE
Printed name and title

Sworn to and signed telephonically.

Date: April 19, 2023

City and State: Buffalo, New York

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

NICHOLAS MELCHIORRE, being duly sworn, deposes and states:

1. I have been employed as a Special Agent ("SA") with Homeland Security Investigations ("HSI"), within the Department of Homeland Security ("DHS"), since 2010. As a Special Agent, I am a federal law enforcement officer within the meaning of Rule 41(a) of the Federal Rules of Criminal Procedure, that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, federal criminal offenses.

2. I have participated in investigations targeting individuals involved in the receipt, distribution, and possession of child pornography, in violation of Title 18, United States Code, Section 2251(a), Title 18, United States Code, Section 2252A(a)(2)(A) , and Title 18, United States Code, Section 2252A(a)(5)(B). I have received specialized training in the area of child pornography, child exploitation, and human trafficking. As part of my employment with HSI, I successfully completed the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the Immigration and Customs Enforcement Basic School, both of which included instruction with respect to the application for, and execution of, search and arrest warrants, as well as the application for criminal complaints, and other legal processes.

3. I make this affidavit in support of a criminal complaint charging Corey A. BEASLEY (DOB: xx/xx/1985) (hereinafter “BEASLEY”) with violations of Title 18, United States Code, Section 2251(a) [Production of Child Pornography], Title 18, United States Code, Section 2252A(a)(2)(A) [Receipt of Child Pornography], and Title 18, United States Code, Section 2252A(a)(5)(B) [Possession of Child Pornography].

4. The statements contained in this affidavit are based upon my investigation, information provided to me by other law enforcement personnel, and on my experience and training as a Special Agent of HSI. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause to believe that BEASLEY knowingly violated Title 18, United States Code, Section 2251(a) [Production of Child Pornography], Title 18, United States Code, Section 2252A(a)(2)(A) [Receipt of Child Pornography], and Title 18, United States Code, Section 2252A(a)(5)(B) [Possession of Child Pornography].

BACKGROUND OF THE INVESTIGATION

5. In January 2023, Minor Victim 1 (hereinafter “MV-1”) reported to her school resource officer (“SRO”) that while using a tablet belonging to her former stepfather, BEASLEY, in the December 2022 – January 2023 timeframe, she saw multiple images of herself sleeping wearing only her bra and underwear. MV-1 stated these images caught MV-1’s attention because she never sleeps in only her bra and underwear and never recalled waking up in only her undergarments. MV-1 additionally stated during the time period of

October to December 2022, that **BEASLEY** gave her two gummy vitamins¹ before bed that made her very tired within 20 minutes of taking them. According to MV-1, these incidents took place at **BEASLEY**'s residence.

6. Later the same day, the West Seneca Police Department ("WSPD") executed a local search warrant at **BEASLEY**'s residence to seize and search electronic devices for evidence of child pornography. During the execution of the warrant, **BEASLEY** voluntarily spoke with the WSPD and showed them his Samsung tablet (later identified with IMEI: 358907101025595), which he stated MV-1 used at times. The device, however, had been factory reset/re-formatted, which **BEASLEY** blamed on MV-1. In total, the WSPD seized 16 items of electronic evidence from the SUBJECT PREMISES.

7. On January 19, 2023, MV-1 was forensically interviewed at the Best Self Child Advocacy Center in Buffalo, New York. During the interview, MV-1 disclosed that **BEASLEY** took pictures of her while she was fully nude in the shower when they lived in Orchard Park, New York. MV-1 further disclosed that **BEASLEY** showed her adult pornographic films of adults having sexual intercourse, and **BEASLEY** told MV-1 he did not understand why she did not have a boyfriend because he would date her if they were the same age.

¹ **BEASLEY** told WSPD that he gave MV-1 melatonin to help her sleep and showed them the bottle of children's melatonin.

8. In February 2023, the WSPD contacted HSI seeking technical assistance in completing the forensic examination of the devices seized from **BEASLEY** in January 2023. HSI agreed to conduct the examinations. The evidence was logged into HSI's seized property system and submitted to the HSI Computer Forensics Laboratory for analysis. A computer forensics agent ("CFA") confirmed the Samsung tablet bearing IMEI 358907101025595 was factory reset, therefore no forensic data would be recovered. The CFA further informed your affiant that he found several images of MV-1 on **BEASLEY**'s Samsung SM-S908U cellular phone (IMEIs: 355796466862376 and 356658146862375) (hereinafter "SUSPECT DEVICE"), which corroborates both MV-1's initial statement and her initial forensic interview. Those files include:²

- a. Four images of MV-1 standing in a shower. She is fully nude in each, exposing both her underdeveloped breasts, pelvic region, and pubic hair. According to the exif data recovered, these images were taken using the SUSPECT DEVICE on 4/14/2022.
- b. Twenty seven images of MV-1 sleeping with no shirt on, and her underdeveloped breasts exposed. Exif data recovered from these images show they were taken using the SUSPECT DEVICE between June and October 2022. Various different bedding garments were observed throughout these images, and are identified as follows: a yellow, fleece-like blanket; a blue comforter with white and yellow flower-like designs; a pillow with a blue pillowcase; a pillow with a grey pillow case; a light pink/purple comforter with white polka-dots, hearts and the Eiffel tower depicted on it; a light-blue pillow with rainbow-colored lettering; and an unknown object that appears to be purple with blue, magenta and white lines on it. In some of the images, MV-1 is wearing lipstick and unique artificial nails. Also visible in some of the images is what appears to be a hand, thigh and/or stomach of a Caucasian male.
- c. Two images both taken using the using the SUSPECT DEVICE that were taken from the point of view of the person using the cellular phone and appear to depict MV-1 (based on the skin tone, size of hand, and unique artificial nails)

² Forensic examination of this and other devices is ongoing, these only depict the files recovered as of today

holding a Caucasian male's penis. Only MV-1's hand, the male's penis, nude stomach, and pubic hair are visible in the image. The bedding is consistent with the bedding described in Paragraph 10 above, which also depict MV-1. Exif data recovered from these images identify them as being taken on June 19, 2022, and appear to have been taken sequentially.

9. On or about March 9, 2023, MV-1 told her SRO that in addition to taking pictures of her while she was sleeping, **BEASLEY** did in fact touch her sexual organs when he thought she was asleep. MV-1 further elaborated that this took place approximately 4 - 6 times prior to her discovering the images on **BEASELY**'s tablet.

10. HSI set up a second forensic interview with MV-1, which took place on April 13, 2023 in Buffalo, New York. MV-1 was forensically interviewed by an HSI Forensic Interview Specialist ("FIS"). During the interview, MV-1 stated she located the pictures of her sleeping on **BEASLEY**'s tablet in January 2023 when she was 14 years old. MV-1 told the FIS that **BEASLEY** "pet" her vagina over her underwear while she was partially asleep. MV-1 did not report these incidents at the time they occurred because she did not believe she had proof. MV-1 reiterated her prior statements that **BEASLEY** took photographs of her in the shower while residing in Orchard Park, New York,³ that he showed her adult pornography, and that he told her he would date her if they were the same age. MV-1 stated that **BEASLEY** told her not to tell her mother that he showed her adult pornography or that he told her he would date her if they were the same age because her mother would kill him. MV-1, however, stated that **BEASLEY** never threatened her in any way. At the conclusion

³ Exif data corroborates MV-1's account, as **BEASLEY** lived in Orchard Park until May 2022.

of the forensic interview, MV-1 was presented with 9 images believed to depict her located on **BEASLEY's** Samsung SM-S908U cellular phone:

- a. Exhibit 1 is one of four sequential images depicting MV-1 standing fully nude in the shower identified in paragraph 9. MV-1 identified herself in the image. Based on the exif data in the image, MV-1 was 13-years-old when this and the three other sequential images were taken.
- b. Exhibit 2 is one of the two images appearing to depict MV-1's hand holding a Caucasian male's penis. MV-1 did not recall this image being taken. MV-1 identified her hand in the image, and the bedding as her bed **BEASLEY'S** residence. MV-1 identified the male in the image as **BEASLEY** based on the stomach. Based on the exif data in the image, MV-1 was 14-years-old when this and the three other sequential images were taken.
- c. Exhibits 3-8 all depict MV-1 sleeping. These images were selected as samples from the twenty-seven because they show her with and without makeup, with and without artificial nails, and to identify which residences each of the various bed furnishings were located. MV-1 identified herself as the individual in all six images. MV-1 stated she put the makeup and artificial nails on herself prior to going to sleep and forgot to take the makeup off. MV-1 further stated that all six images were taken at the **BEASLEY's** residence. MV-1 identified the hand in the lower left corner of exhibit 5 as **BEASLEY's** as well as what appears to be a thigh in the lower right corner of exhibit 6.
- d. Exhibit 9 depicts MV-1 sleeping, but she is fully covered, other than her face, with the light pink/purple comforter with white polka-dots, hearts and the Eiffel tower. A cat is sitting in her bed and a window-unit air conditioner is seen in the background. MV-1 stated this image was taken at her house in Cheektowaga where she lived with **BEASLEY** and her mother when they were married. The bedding is the same bedding depicted in exhibit 2 and various other images of her partially nude recovered from **BEASLEY's** Samsung SM-S908U cellular phone. MV-1 stated this bedding is located at the **BEASLEY's** residence.

ADDITIONAL CHILD PORNOGRAPHY SEIZED

11. In addition to the child pornography and child exploitative images of MV-1 produced using the SUSPECT DEVICE, several images of suspected child pornography of unknown minors were also located on the SUSPECT DEVICE. These images do not appear

to have been produced by the SUSPECT DEVICE but, rather, received from persons and/or platforms unknown at this time. These images include the following received and/or modified on September 14 and September 20, 2022, respectively:

- a. *mnt\pass_through\0\emulated\0\Android\data\org.videolan.vlc\files\medialib\3021.jpg* – an image file depicting what appears to be a toddler-aged female lying on her back with her vagina facing and exposed to the camera. What appears to be the arm of an older female is visible across the toddler's midsection.
- b. *data\media\0\Android\data\com.samsung.android.videolist\files\.cache\7342fa35d3f67c9dc9d3b1668c0e80a8.0* – an image file depicting a toddler-aged female, lying on her back with her vagina facing and exposed to the camera.

CONCLUSION

12. Based upon the forgoing, the undersigned respectfully submits that there is probable cause to believe BEASLEY has violated Title 18, United States Code, Section 2251(a) [Production of Child Pornography], Title 18, United States Code, Section 2252A(a)(2)(A) [Receipt of Child Pornography], and Title 18, United States Code, Section 2252A(a)(5)(B) [Possession of Child Pornography].

13. Finally, since this affidavit relates to an ongoing criminal investigation and contains the names of individuals who are witnesses and/or targets in this matter, it is respectfully requested that this Court issue an Order sealing, until further order of this Court, the Complaint and Arrest Warrant and that all papers submitted in support of this Application, including the Application, Affidavit, and Arrest Warrant remain under seal until further order of this Court.



NICHOLAS MELCHIORRE
Special Agent
Homeland Security Investigations

Sworn to and subscribed before me telephonically

on this 19th day of April 2023.



HONORABLE MICHAEL J. ROEMER
United States Magistrate Judge